

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

LARRY FREEMAN AND LINDA M.
FREEMAN

CIVIL ACTION NO.: 6:04cv0961

VERSUS

JUDGE: DOHERTY

NATIONAL TEACHERS ASSOCIATES
LIFE INSURANCE COMPANY

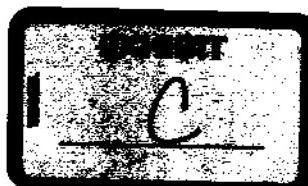
MAGISTRATE: METHVIN

DEFENDANT'S LOCAL RULE 56.1
STATEMENT OF UNDISPUTED FACTS

NOW INTO COURT, through undersigned counsel, comes defendant, National Teachers Associates Life Insurance Company ("National"), who submits this statement of undisputed facts in connection with its motion for summary judgment.

STATEMENT OF UNDISPUTED FACTS

1. Linda Freeman applied for organ transplant insurance from National on September 25, 1998 in an attempt to cover her husband, Larry Freeman, in the event he needed an organ transplant.
2. National issued Organ Transplant Insurance Policy number T00002299 to Linda Freeman effective November 1, 1998. (*See* National Teachers Associates Life Insurance Organ Transplant Insurance Policy, attached to the motion as Exhibit "A").
3. On April 14, 2002, Larry Freeman underwent a kidney transplant.
4. On September 20, 2002, National Teachers Associates Life Insurance Company received Larry Freeman's proof of loss concerning the transplant, which was dated September 12, 2002 by Linda Freeman. (*See* Affidavit of John Ruth and Exhibit "1" to the affidavit, attached to the motion as Exhibit "B").



5. Larry and Linda Freeman filed this lawsuit on January 30, 2004.

By Attorneys,

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- CERTIFICATE -

I certify that a copy of the foregoing was this day mailed, postage prepaid, to Mr. Lynn A. DeRouen, DeRouen & Wattigny, A.P.L.C., 103 East Main Street, New Iberia, Louisiana, 70506.

Baton Rouge, Louisiana, this 14th day of January, 2005.

Russell J. Mosely

Russell L. Mosely